

Recent Changes in State Campaign Finance Laws Applicable to Municipal Candidates and Town Committees

CANDIDATE REGISTRATION REQUIREMENTS

The law now gives an individual **10 days** from the day he or she is deemed to have become a candidate in which to file a *Registration of Candidate Committee* (Form ED-49) or a *Certification of Exemption from forming a Candidate Committee* (Form B-4) with the Town Clerk. An individual is deemed to have become a candidate on the day of either a) receiving a party's endorsement, b) qualifying for name placement place on the ballot, or c) a contribution is first solicited or received, or an expenditure made, to bring about the individual's nomination or election. A candidate may file the *Certification of Exemption from forming a Candidate Committee* if any of the following applies:

- a) The candidate is a member of a slate of candidates funded by a party committee or a political committee (known as a PAC) formed for a single election or primary whose expenditures are reported by the sponsoring committee; or
 - b) The candidate's campaign is entirely funded from personal funds (except if the candidate spends in excess of \$1,000, the candidate must file disclosure statements in the manner as a candidate committee); or
 - c) The candidate is not receiving or spending more than \$1,000; or
 - d) The candidate does not intend to receive or expend any funds.
- (P.A. 03-223 and P.A. 02-130)

CAMPAIGN TREASURERS FILING DEADLINES

The law was changed to prescribe calendar dates, rather than floating days, for filing campaign finance statements. If a filing date falls on a Saturday, Sunday, or holiday, the statement is due on the following business day. It eliminates for candidate committees the report due 45 days after an election, but specifies that the January 7 report, due approximately three weeks later, replaces it. It sets a date certain (January 31) as the deadline for distributing a committee surplus after a November election. Please see the new filing calendars. (P.A. 03-223)

CAMPAIGN FUNDRAISERS

A political committee established by two or more candidate committees for a joint fundraising event are now required to distribute the event's proceeds to the candidate committees within 14 days after the event. (P.A. 03-223)

The law now requires a campaign treasurer to include the date, location, and description of a fundraising event when reporting the receipts and expenditures in campaign finance statements. (P.A. 02-130 and P.A. 03-223)

The law now exempts from the definition of a campaign contribution a town committee's sale of food or beverages costing an individual less than an aggregate of \$50 that takes place at a fair or similar gathering. It thereby removes the requirement that a town committee treasurer must disclose the names of these purchasers and that the purchases count toward an individual's campaign contribution limit. (P.A. 02-130)

DISCLOSURE OF MUNICIPAL CONTRACTS BY CANDIDATES FOR CHIEF EXECUTIVE OFFICER (FIRST SELECTMAN, MAYOR, ETC.)

Effective October 1, 2003, the treasurer of any candidate for the office of chief executive officer of a town, city, or borough must report in the candidate's campaign finance statements whether a contributor of more than \$400 in total to the campaign has a contract with the municipality valued at more than \$5,000 or is associated with a business that does.

On or after October 1, any individual who makes a contribution of more than \$400, or who has made previous contributions which when added to a contribution made on or after October 1, is more than \$400, must provide the contract information total at the time the contribution is made. A campaign treasurer is prohibited from depositing the contribution unless the treasurer has this information. If the contributor fails to provide the information, the campaign treasurer must request it by certified mail, return receipt requested, within three business days of receiving the contribution. If the contributor does not provide the information within 14 days after a treasurer's written request or by the end of the reporting period for the contribution, whichever is later, the treasurer must return the money. It is highly recommended that these candidate committees include a request for such contractual information on any donor solicitation material.

As before the law allows an individual can contribute up to \$1,000 to a candidate for the office of chief executive officer (First Selectman, Mayor). (P.A. 02-130)

DEBIT CARD PAYMENTS

The law now permits a treasurer of any committee to pay for expenditures using a debit card. The treasurer must keep the debit card slips for four years from the time payments are made. (P.A. 03-241)

PROHIBITED SOLICITATION OF CAMPAIGN CONTRIBUTIONS BY MUNICIPAL EMPLOYEES

Municipal employees are now barred from soliciting campaign contributions from a person under his supervision or that person's spouse or dependent child for the benefit of (1) any candidate for state, district, or municipal office or (2) a political party. Current law prohibits a head or deputy head of a state department from soliciting campaign contributions from any other person. (P.A. 03-241)

EXTENSION OF THE BAN ON THE USE OF PUBLIC FUNDS

The new law extended the ban on state and municipal officials and employees allowing public funds to be spent on promotional campaigns or advertisements featuring a candidate for public office to cover ads that appear in movie theaters, on billboards, or bus posters. The earlier ban only applied to an advertisement or promotion that featured a candidate's name, face, or voice appearing on television, radio, or in newspapers and magazines. The restriction is in effect during the five months before the election (from the beginning of June for a November election). (P.A. 03-241)

CASH AND CREDIT CARD CONTRIBUTIONS

The law was changed to increase allowable cash contribution from \$50 to \$100. Any contributions over \$100 must be made by personal check (or the use of a credit card, under the bill). (P.A. 02-130)

Individuals may now make campaign contributions over \$100 by credit card. It codifies practice and the SEEC's position that credit card contributions are acceptable (Advisory Opinion No. 83-4), but broadens the commission's guidelines by allowing a contributor to use a credit card without requiring him to give the campaign treasurer a signed slip. (P.A. 02-130)

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